

**ORDINANCE NO. 12-\_\_\_\_\_**

**BE IT ORDAINED** by the City Council of the City of Huntsville, Alabama, as follows:

**Section 1.** The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of portions of two utility and drainage easements; that the applicant has represented to the City of Huntsville that RBJ Rental Account, LLC, is the owner of the property across which said easements lie; that said easements or portions being vacated are not presently used and are no longer needed for a public or municipal purpose.

**Section 2.** Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deeds vacating the easements hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA     )  
                                  )  
COUNTY OF MADISON    )

**QUITCLAIM DEED**  
**VACATION OF EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned CITY OF HUNTSVILLE, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by RBJ RENTAL ACCOUNT, LLC, an Alabama limited liability company, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the real estate situated in the City of Huntsville, County of Madison, State of Alabama and described as the "Portion of 15' Waterline Easement to be Abandoned" on Exhibit A, attached hereto, being a portion of the waterline easement, of record in Book 486, Page 945, Probate Records of Madison County, Alabama

TO HAVE AND TO HOLD unto the said grantee, its successors and assigns forever

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 24th day of May, 2012.

CITY OF HUNTSVILLE, ALABAMA,  
a municipal corporation

By: \_\_\_\_\_  
Tommy Battle, Mayor

ATTEST:

By: \_\_\_\_\_  
Charles E. Hagood  
Clerk-Treasurer

STATE OF ALABAMA     )  
                                  :  
COUNTY OF MADISON    )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 24th day of May, 2012.

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT PREPARED BY:  
Bradley Arant Boult Cummings LLP (MBN)  
1600 Division Street, Suite 700  
Nashville, TN 37203

**The "Portion of 15' Waterline Easement to be Abandoned" being more particularly described on Exhibit A-1.**

**EXHIBIT A-1**

**LEGAL DESCRIPTION  
EASEMENT TO BE ABANDONED (WATER LINE EASEMENT)**

**THE FOLLOWING-DESCRIBED TRACT OR PARCEL OF REAL PROPERTY SITUATED AND LYING AND BEING IN THE CITY OF HUNTSVILLE, COUNTY OF MADISON, STATE OF ALABAMA, TO-WIT:**

**ALL THAT PART OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK 16 OF THE WELLS SECOND ADDITION RESUBDIVISION AS OF RECORD IN THE PROBATE OFFICE OF MADISON COUNTY, ALABAMA IN MAP BOOK 1, PAGE 108;**

**THENCE NORTH 30°58'58" WEST A DISTANCE OF 92.51 FEET TO THE POINT OF BEGINNING OF SAID 15 FOOT WATERLINE EASEMENT ABANDONMENT; SAID POINT OF BEGINNING BEING A PORTION OF THE 6 INCH WATER MAIN EASEMENT DESCRIBED IN DEED BOOK 486, PAGE 945, RECORDED IN THE PROBATE JUDGE OFFICE OF MADISON COUNTY, ALABAMA,**

**THENCE FROM THE POINT OF BEGINNING AND SAID 15 FOOT EASEMENT LYING 7.5 FEET EACH SIDE OF THE FOLLOWING LINE, SOUTH 87°30'58" EAST A DISTANCE OF 177.77 TO THE END OF SAID EASEMENT ABANDONMENT.**

**PURPOSE: THIS LEGAL DESCRIPTION DESCRIBES AN ABANDONMENT OF A PORTION OF THE EXISTING 15 FOOT WATERLINE EASEMENT DESCRIBED IN DEED BOOK 486, PAGE 945, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA.**

STATE OF ALABAMA     )  
                                  )  
COUNTY OF MADISON    )

**QUITCLAIM DEED**  
**VACATION OF EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned CITY OF HUNTSVILLE, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by RBJ RENTAL ACCOUNT, LLC, an Alabama limited liability company, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the real estate situated in the City of Huntsville, County of Madison, State of Alabama and described as the "Portion of 10' Electrical Easement to be Abandoned" on Exhibit A, attached hereto, being a portion of the electrical easement, of record in Book 486, Page 945, Probate Records of Madison County, Alabama

TO HAVE AND TO HOLD unto the said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 24th day of May, 2012.

CITY OF HUNTSVILLE, ALABAMA,  
a municipal corporation

By: \_\_\_\_\_  
Tommy Battle, Mayor

ATTEST:

By: \_\_\_\_\_  
Charles E. Hagood  
Clerk-Treasurer

STATE OF ALABAMA     )  
                                  ):  
COUNTY OF MADISON    )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 24th day of May, 2012.

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT PREPARED BY:  
Bradley Arant Boult Cummings LLP (MBN)  
1600 Division Street, Suite 700  
Nashville, TN 37203

[illegible]

The "Portion of 10' Electrical Easement to be Abandoned" being more particularly described on Exhibit A-1.

**EXHIBIT A-1**

**LEGAL DESCRIPTION**

**EASEMENT TO BE ABANDONED (ELECTRICAL EASEMENT)**

**THE FOLLOWING DESCRIBED TRACT OR PARCEL OF REAL PROPERTY SITUATED AND LYING AND BEING IN THE CITY OF HUNTSVILLE, COUNTY OF MADISON, STATE OF ALABAMA, TO-WIT:**

**ALL THAT PART OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK 16 OF THE WELLS SECOND ADDITION RESUBDIVISION AS OF RECORD IN THE PROBATE OFFICE OF MADISON COUNTY, ALABAMA IN MAP BOOK 1, PAGE 108;**

**THENCE NORTH 61°08'53" EAST A DISTANCE OF 178.88 FEET TO THE POINT OF BEGINNING OF THE EXISTING ELECTRICAL LINE EASEMENT DESCRIBED IN DEED BOOK 486, PAGE 945, PROBATE JUDGE OFFICE OF MADISON COUNTY, ALABAMA; THENCE NORTH 31°07'00" WEST A DISTANCE OF 12.59 FEET; THENCE SOUTH 89°17'00" EAST A DISTANCE OF 11.77 FEET; THENCE SOUTH 31°07'00" EAST A DISTANCE OF 6.77 FEET; THENCE SOUTH 61°08'53" WEST A DISTANCE OF 10.01 FEET TO THE POINT OF BEGINNING, HAVING AN AREA OF 96.8 ± SQUARE FEET, 0.002 ± ACRES.**

**PURPOSE: THIS LEGAL DESCRIPTION DESCRIBES AN ABANDONMENT OF A PORTION OF THE EXISTING ELECTRICAL EASEMENT DESCRIBED IN DEED BOOK 486, PAGE 945, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA.**

Ordinance No. 12-\_\_\_\_\_ (Cont.)  
RBJ Rental Account, LLC

ADOPTED this the 24th day of May, 2012.

\_\_\_\_\_  
President of the City Council  
of the City of Huntsville, Alabama

APPROVED this the 24th day of May, 2012.

\_\_\_\_\_  
Mayor of the City of  
Huntsville, Alabama